

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

DERRICK JUSTIN CHOATE, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )      **No. 2:16-cv-00069**  
                                )      Chief Judge Crenshaw  
PHIL ARMS,                 )  
                                )  
Defendant.                 )

**ORDER**

For the reasons explained in the accompanying Memorandum, the Court hereby rules as follows:

- (1) The Report and Recommendation (Doc. No. 89) is **ADOPTED**;
- (2) Phil Arms' Motion for *De Novo* Determination (Doc. No. 91), construed as objections to the Report and Recommendation, is **OVERRULED**; and
- (3) Phil Arms' Motion for Summary Judgment (Doc. No. 24) is **DENIED**.

In light of these rulings, Derrick Choate's Request for Extension of Time (Doc. No. 96) to respond to Phil Arm's Motion is **DENIED AS MOOT**. This case is returned to Magistrate Judge Brown for further pretrial case management and the setting of a projected trial date.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE